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SUBJECT: DOMINICAN ELECTION SERIES #52: DEMOCRACY WINS

REF: SANTO DOMINGO 2968

11. (SBU) Following is number 52 in our series on the Dominican presidential election:

Democracy Wins

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Voting was calm and orderly across the Dominican Republic during the 12-hour polling period on May 16, in what many consider to have been the best-conducted vote in national history. In the evening, scattered worrisome incidents suggested that the counting phase might become troubled. With the benefit of hindsight, the brief but strong evening remarks on national television by Msgr. Agripino Nunez, head of the civil society Elections Monitoring, Commission, who was flanked by several ambassadors (including the U.S. Ambassador) and the OAS representatives, are viewed as a defining moment. President Mejia conceded the election early in the vote count, at 11:40 p.m., and Dominicans everywhere awoke the next day knowing who had won. The elections are widely viewed by Dominicans as a success and a source of pride. Many Dominicans have told us that the USG role was positive and crucial.

Here are the details:

During the day of voting, Dominican election officials, party coordinators, and electors cooperated effectively across the country. In contrast to the heated campaign, May 16 was characterized by massive, orderly voter turnout and a relatively smooth, albeit slow, electoral process.

Election day officially began at 6 a.m. as more than 12,000 voting tables opened across the 32 provinces of the Dominican Republic and in 11 foreign cities with large expatriate Dominican populations. Observers reported some initial disorganization and, in isolated cases, late openings due in part to incomplete election materials. Most voting sites were relatively organized. International observers, including 50 volunteers from the U.S. Embassy community, found Dominicans engaged in the process, animated, and generally cordial to one another.

An early morning altercation between PLD and PRD party loyalists outside a polling station in Barahona, a southwestern province, provoked an exchange of gunshots that left three persons -- criminals with personal conflicts among themselves -- dead. The incident was the worst stain on the democratic process. The Central Electoral Board (JCE), in accordance with law, suspended news programs on several government-run television channels for blatantly biased (pro-Mejia) reporting. Later in the day, there were unconfirmed reports of isolated confrontations.

Dominicans welcomed the presence of some 270 international observers led by the OAS and IFES delegations, and more than 6500 national observers from Dominican NGO Participacion Ciudadana. There were few problems with voter rolls and virtually no attempts to bring campaigning or campaign material into voting areas. Many sites reported average turnouts of 60 percent by mid-day and more than 70 percent when the polls closed at 6 p.m.

First-hand experience matches press reports

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In addition to fielding 50 observers who became accredited to the OAS Mission, Ambassador Hertell led a bus tour of polling and other election sites during the day. He was accompanied by the ambassadors in the Dominican Republic from the European Community, Canada, and Spain, and by two IFES observers (Colombian ex-President Pastrana and Judy Black). The DCM also led a U.S. "information central" from which we took reports from the OAS-assigned observers, officers posted at certain critical locations, and newscasts. The

Ambassador,s party was briefed regularly during the day and evening, and shown copies of the "information central,s" log of developments. All in all, the ambassadors saw first-hand in Santo Domingo the display of orderly daytime voting that the "information central" was hearing about nationwide. Ambassador Hertell shared his positive reaction with the press.

Tension rose in the evening  
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After the polls closed, tensions rose.

In a few locales, domestic or international observers were excluded from the vote count.

In addition, although procedures stipulated that each voting station's election officials and party delegates were to fill out and sign each vote-count tabulation ("acta"), this did not always happen. At a number of polling places, especially at those in Santo Domingo and Santiago, PRD party delegates refused to sign vote tally sheets carrying the manifest bad news of a PRD defeat.

Moreover, poor organization, and possibly resistance, at the 134 municipal election boards ("juntas municipales") caused bottlenecks as election officials sought to deliver and register the sealed bags containing the paper ballots and "actas." At "juntas municipales" election officials discovered many irregularities in documentation and referred tally sheets to adjudication. Few of the "actas" were being scanned and transmitted to the JCE. By mid-evening, lines up to three blocks long were visible at "juntas municipales" in the capital and elsewhere. Delays were accompanied by increasing rumors of fraud by government officials. Tempers were rising.

Finally, embassy volunteers and other observers reported a handful of mostly unconfirmed reports of intimidation or confrontation. We heard, for example, that PRD campaign official Guido Gomez Mazara, formerly legal adviser to Mejia, was reported to have entered a voting station accompanied by armed guards who intimidated the persons inside.

Civic action and reaction  
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As irregularities were reported, head of the civil society Elections Monitoring Commission ("Comision de Seguimiento") Monsignor Agripino Nunez Collado, fearing the worst, called insistently to persuade the Ambassador and several other ambassadors to call on JCE President Luis Arias at 9 p.m. to raise their concerns. The Ambassador, armed with the "information central,s" news, agreed. He mobilized the other ambassadors, who met with Nunez and JCE Judge Luis Arias at the JCE. Arias was aware of the most serious incidents and said they had been handled by election officials and the electoral police.

As the group went out to attend a previously scheduled OAS press conference at the JCE, Nunez surprised those present by taking the microphone. Flanked on camera by the U.S., EU, Canadian, and Spanish ambassadors and by the OAS, he delivered an impromptu impassioned appeal -- live, on camera -- for the President's supporters to respect the people,s will as expressed in the election results. He said, in part:

" . . .The President said, in his last appearance, that whoever wins, wins; that's the President's word. And I would invite all of those who are, gentlemen, supporters of the President to respect that affirmation by the President. Let no one think about trying to stand in the way of the process. Remember what happened in 1978 when the administration of that time tried to avoid acknowledging popular will, (and remember) the response of the people and of the international community. That's why I wanted to come here, pro-actively. I would not wish either for the people to go through bitter times or for the international community to have to make reproaches to sectors of our society.

"This country has embraced democracy. And nothing and no one will be able to obstruct this process. . . . Let no one even imagine staining this process. . . . Let God enlighten all Dominicans. Let no one think of perverse ideas, may they respect as a sacred thing this civic day's work given by the Dominican public to the politicians, to the observers, to the national media and to the foreign press that is here to bear witness. May God help us and illuminate and give strength to all who have the responsibility of protecting the ballot boxes in the various polling stations until they can provide their results to the JCE, which standing above all criticism has given us an example of patriotism!"

Nunez's vehemence and his reference to the 1978 three-month election deadlock between then-President Balaguer (PRSC) and

President-elect Antonio Guzman (PRD) stirred passions rather than calming them. They completely overshadowed the measured, positive statements subsequently made by OAS Deputy Secretary General Luigi Einaudi and by IFES delegation head (and former Colombian president) Andres Pastrana, both of whom praised the election process.

President Mejia is reported to have been furious at Monsignor Agripino's appeal. Mejia had already told the Ambassador by telephone earlier in the evening that he would "do the right thing" if there were no change in the trend of the earliest returns (52 percent PLD to 38 percent PRD).

At 9:30 p.m., a Penn, Shoen & Berland exit poll with 56 percent for Fernandez was leaked to CNN, but not carried in local media. Simultaneously, PLD numbers sent out by e-mail to party sympathizers showed the same trend. The JCE issued its first bulletin at 10:40, based on a mere 2.8 percent of the 12,000 polling stations, showing Fernandez with 54 percent. The Ambassador spoke briefly with President Mejia by telephone about that time; Mejia again emphasized his intention to do the right thing and abide by the will of the people. At 11:40, before the JCE was able to publish any further preliminary results, Mejia went before television cameras to acknowledge Fernandez's victory and to offer his congratulations.

Mejia's action has no precedent in Dominican politics. It is widely believed to have facilitated the rest of the vote count and prevented violence and intrusion into the electoral process. His declaration immediately cut the growing late-night tension. It stopped diehard PRD members from their efforts, planned or spontaneous, to draw out the already long and painful process. By acknowledging defeat, Hipolito Mejia offered an unexpected and illuminating example of democratic fair play, both to his own party and to the rest of those watching. In the following days, our Dominican contacts, almost without exception, fairly glowed with pride about the successful conduct of the national presidential elections.

The U.S. Government in general, and the U.S. Ambassador in particular, have received constant praise in the past week from our Dominican contacts and the Dominican public and press, first for supporting -- both rhetorically and financially -- free and fair elections and international observers for them; second, for indicating our support of the winner of the election, whichever candidate won; and finally, for our own visible monitoring of the election process, which, we are told, was both calming and a visible reminder that the international community would not tolerate illegitimate leaders. The OAS mission also praised the USG effort on behalf of free and fair Dominican elections as a model that works.

12. (U) Drafted by Michael Meigs, Clare Ribando, and Lisa Kubiske.

13. (U) This report and others in our elections series are available on the SIPRNET at <http://www.state.sgov.gov/p/wha/santodomingo>.  
HERTELL